

# Office of Attorney General Terry Goddard



STATE OF ARIZONA  
DEPARTMENT OF LAW  
1275 W. WASHINGTON STREET  
PHOENIX, ARIZONA 85007-2926  
[WWW.AZAG.GOV](http://WWW.AZAG.GOV)

ANNE TITUS HILBY  
PRESS SECRETARY  
PHONE: (602) 542-8019  
CELL PHONE: (602) 725-2200  
[ANNE.HILBY@AZAG.GOV](mailto:ANNE.HILBY@AZAG.GOV)

FOR IMMEDIATE RELEASE

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## Hand Count of Ballots Affirms Results of 2006 Tucson Special Election

(Phoenix, Ariz. . April 21, 2009) The Arizona Attorney General's Office today announced that its hand count of the ballots cast in the May 2006 Pima County Special Election affirmed the results of the Regional Transportation Authority (RTA) election of 2006.

The RTA election consisted of two separate questions. The first asked voters to indicate yes or no in response to the question, "Do you approve the regional transportation plan for Pima County?" The official election canvass recorded a total of 119,818 votes cast in response to this question. Of those, 71,948 (or 60.05%) were yes votes and 47,870 (39.95%) were no votes. The examination of the ballots found a total of 119,262 votes cast in response to this question. Of those, 71,626 (60.06%) were yes votes and 47,636 (39.94%) were no votes.

Part two of the RTA election asked voters to indicate yes or no in response to the question, "Do you favor the levy of a transportation privilege (sales) tax for regional transportation purposes in Pima County?" The official election canvass recorded a total of 119,324 votes cast in response to this question. Of those, 68,773 (57.64%) were yes votes and 50,551 (42.36%) were no votes. The examination of the ballots found a total of 118,726 votes cast in response to this question. Of those, 68,420 (57.63%) were yes votes and 50,306 (42.37%) were no votes.

The difference of +/- 0.01% in each category of votes cast was due to the presence of ballots with inconclusive markings. Among the inconclusive ballots, investigators do not know precisely which ballots the optical scanner was capable or incapable of reading. Therefore, ballots that did not contain clearly readable yes or no votes were not included in the examination totals. A full table of the results is attached.

The official canvass of the May 2006 Pima County Special Election recorded 120,821 ballots cast in the RTA election. In its examination, the Attorney General's Office hand counted 120,888 physical ballots. The difference of 67 additional ballots counted by the Attorney General's Office was due to the presence of unused excess ballots among those examined.

The Attorney General's Office first investigated the RTA election in 2007 after local political parties and community members raised concerns that computerized election data had been manipulated. At that time, the Office determined that no data were changed, but the Pima County election system did contain significant election security weaknesses. A copy of this report is available at [http://www.azag.gov/press\\_releases/sept/2007/lbetaReportPimaCounty.pdf](http://www.azag.gov/press_releases/sept/2007/lbetaReportPimaCounty.pdf).

The Office reopened the investigation in July 2008 when additional information was brought to light. In February, the Attorney General's Office seized 105 boxes of election materials from the Pima County Elections Division, including the ballots and poll tapes from the 2006 Pima County Special Election.

The examination of the ballots was conducted between April 6 and April 15 by the Maricopa County Recorder's Office's Elections Division staff under the supervision of Attorney General's Office investigators, sworn peace officers in the state of Arizona. The procedure for examining and counting the ballots was typical of a hand count of election ballots with additional protocols necessary for handling criminal evidence.

Absent any evidence of criminal wrongdoing, the investigation is now closed.

For additional information, contact Anne Hilby at (602) 725-2200 or [anne.hilby@azag.gov](mailto:anne.hilby@azag.gov).

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